# CONCURRENCE COPY

### **CORONERS (AMENDMENT) BILL, 1978**

#### **EXPLANATORY NOTE**

#### (This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Justices (Amendment) Bill, 1978.

The objects of this Bill are-

- (a) to remove the present requirement under the Coroners Act, 1960, that a specific direction be given as to the means to be used for recording the deposition of a witness at an inquest, inquiry or magisterial inquiry where that deposition is not recorded in writing (Schedule 1 (2)); and
- (b) to make provisions of a minor or consequential nature.



No. , 1978.

## A BILL FOR

An Act to amend the Coroners Act, 1960, so as to facilitate the taking of depositions at an inquest, inquiry or magisterial inquiry under that Act.

[MR MULOCK-8 March, 1978.]

45410c 448—

Act No. , 1978.

Coroners (Amendment).

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 1. This Act may be cited as the "Coroners (Amendment) Act, Short title. 1978".

2. (1) This section and section 1 shall commence on the date Commenceof assent to this Act.

(2) Except as provided in subsection (1), this Act shall10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Coroners Act, 1960, is amended in the manner set Amendment forth in Schedule 1.

15

#### SCHEDULE 1.

Sec. 3.

#### AMENDMENTS TO THE CORONERS ACT, 1960.

(1) Section 4 (2)—

At the end of section 4, insert :—

20

(2) For the purposes of this Act, a reference to depositions shall, where the depositions were recorded by a means (other than writing) referred to in section 19 (1), be construed as a reference to a transcript certified in the manner prescribed by regulations made under the Justices Act, 1902, of the depositions so recorded.

#### SCHEDULE 1—continued.

AMENDMENTS TO THE CORONERS ACT, 1960—continued.

(2) Section 19 (1), (2)—

Omit the subsections, insert instead :----

(1) The deposition of every witness at an inquest, inquiry or magisterial inquiry shall be recorded by means of writing, shorthand, stenotype machine, sound-recording apparatus or any other means prescribed for the time being by regulations made under section 154 (1A) (b) of the Justices Act, 1902.

(2) Where, for the purposes of subsection (1), the deposition of a witness is recorded by means of writing, it shall be read over either to or by the witness, as the coroner, justice or justices holding the inquest, inquiry or magisterial inquiry may direct, and be signed by him and by the coroner, justice or justices, as the case may be.

BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

[8c]

15

5







#### EXPLANATORY NOTE

#### (This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Justices (Amendment) Bill, 1978.

The objects of this Bill are-

- (a) to remove the present requirement under the Coroners Act, 1960, that a specific direction be given as to the means to be used for recording the deposition of a witness at an inquest, inquiry or magisterial inquiry where that deposition is not recorded in writing (Schedule 1 (2)); and
- (b) to make provisions of a minor or consequential nature.

45410c 448—



No. , 1978.

## A BILL FOR

An Act to amend the Coroners Act, 1960, so as to facilitate the taking of depositions at an inquest, inquiry or magisterial inquiry under that Act.

[MR MULOCK-8 March, 1978.]

Act No. , 1978.

Coroners (Amendment).

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 1. This Act may be cited as the "Coroners (Amendment) Act, Short title. 1978".

2. (1) This section and section 1 shall commence on the date Commenceof assent to this Act.

(2) Except as provided in subsection (1), this Act shall10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Coroners Act, 1960, is amended in the manner set Amendment of Act No. 2, 1960.

15

#### SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE CORONERS ACT, 1960.

(1) Section 4 (2)—

At the end of section 4, insert :---

20

(2) For the purposes of this Act, a reference to depositions shall, where the depositions were recorded by a means (other than writing) referred to in section 19 (1), be construed as a reference to a transcript certified in the manner prescribed by regulations made under the Justices Act, 1902, of the depositions so recorded.

### SCHEDULE 1—continued.

AMENDMENTS TO THE CORONERS ACT, 1960—continued.

(2) Section 19 (1), (2)—

Omit the subsections, insert instead :---

(1) The deposition of every witness at an inquest, inquiry or magisterial inquiry shall be recorded by means of writing, shorthand, stenotype machine, sound-recording apparatus or any other means prescribed for the time being by regulations made under section 154 (1A) (b) of the Justices Act, 1902.

(2) Where, for the purposes of subsection (1), the deposition of a witness is recorded by means of writing, it shall be read over either to or by the witness, as the coroner, justice or justices holding the inquest, inquiry or magisterial inquiry may direct, and be signed by him and by the coroner, justice or justices, as the case may be.

BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978



5

15







#### **EXPLANATORY NOTE**

### (This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Justices (Amendment) Bill, 1978.

The objects of this Bill are-

- (a) to remove the present requirement under the Coroners Act, 1960, that a specific direction be given as to the means to be used for recording the deposition of a witness at an inquest, inquiry or magisterial inquiry where that deposition is not recorded in writing (Schedule 1 (2)); and
- (b) to make provisions of a minor or consequential nature.

PROOF



BE it enacted by the Queen's blow Lauribert blaimsty, by and with the advice and consent of the Legislative sensible and Legislative Assembly of New South Wales in Parliament assembled, and by the outherity of the same, as follows :----

This Act may be eited as the "Constant" (Amendment) (Act, saw 1997).

No. , 1978.

## **A BILL FOR**

An Act to amend the Coroners Act, 1960, so as to facilitate the taking of depositions at an inquest, inquiry or magisterial inquiry under that Act.

[MR MULOCK-8 March, 1978.]

45410c 448—

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 1. This Act may be cited as the "Coroners (Amendment) Act, Short title. 1978".

2. (1) This section and section 1 shall commence on the date Commenceof assent to this Act.

(2) Except as provided in subsection (1), this Act shall10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Coroners Act, 1960, is amended in the manner set Amendment forth in Schedule 1.

15

#### SCHEDULE 1.

Sec. 3.

Amendments to the Coroners Act, 1960.

(1) Section 4 (2)—

At the end of section 4, insert :—

20

(2) For the purposes of this Act, a reference to depositions shall, where the depositions were recorded by a means (other than writing) referred to in section 19 (1), be construed as a reference to a transcript certified in the manner prescribed by regulations made under the Justices Act, 1902, of the depositions so recorded.

#### SCHEDULE 1—continued.

AMENDMENTS TO THE CORONERS ACT, 1960—continued.

(2) Section 19 (1), (2)—

Omit the subsections, insert instead :---

(1) The deposition of every witness at an inquest, inquiry or magisterial inquiry shall be recorded by means of writing, shorthand, stenotype machine, sound-recording apparatus or any other means prescribed for the time being by regulations made under section 154 (1A) (b) of the Justices Act, 1902.

(2) Where, for the purposes of subsection (1), the deposition of a witness is recorded by means of writing, it shall be read over either to or by the witness, as the coroner, justice or justices holding the inquest, inquiry or magisterial inquiry may direct, and be signed by him and by the coroner, justice or justices, as the case may be.

15

5

10

BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES-1978

### Act No. , 1978.

Caroliery (Amundania).

#### SUMEDULE 1- Commund.

#### AND STREETS OF THE EDROADING A. ... 1960 -CC - TREET

(2) Samion 19 (1), (22---

#### Omit the subsections, insett instead to ---

(1) The deposition of every situats at an increat, inquiry to magnetial instance shall be increded for allow of weldors, showhand, secure provimer, sum in allow apparents or on offstimizers as activity for the line being by a polytices made and constant for the 4.5 or the factors. As a 1962.

(1) Where, (at the programs of classifier, (1) the depolition of a without it is accided is publication (1) the shall be read of an either the sector the without of the avanter bodie on (at the classifier the former). (ad it of an gifted (1) and the classifier of (1) of (1) and be the even of classical (1) of (1) of (1).

VERBELLA VALUES VERBELLA VALUES AND DESCRIPTION OF A VALUES OF A VERBELLA VALUES OF A VALUES OF A VALUES OF A V





## CORONERS (AMENDMENT) ACT, 1978, No. 47

## New South Wales



## ANNO VICESIMO SEPTIMO ELIZABETHÆ II REGINÆ

## Act No. 47, 1978.

An Act to amend the Coroners Act, 1960, so as to facilitate the taking of depositions at an inquest, inquiry or magisterial inquiry under that Act. [Assented to, 3rd April, 1978.]

P 46626J (6c)

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Coroners (Amendment) Act, 1978".

Commencement. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment **3.** The Coroners Act, 1960, is amended in the manner set of Act No. forth in Schedule 1. 2, 1960.

Sec. 3.

#### SCHEDULE 1.

Amendments to the Coroners Act, 1960.

(1) Section 4 (2)—

At the end of section 4, insert :---

(2) For the purposes of this Act, a reference to depositions shall, where the depositions were recorded by a means (other than writing) referred to in section 19 (1), be construed as a reference to a transcript certified in the manner prescribed by regulations made under the Justices Act, 1902, of the depositions so recorded.

Act No. 47, 1978.

Coroners (Amendment).

## SCHEDULE 1—continued.

AMENDMENTS TO THE CORONERS ACT, 1960—continued.

(2) Section 19 (1), (2)—

Omit the subsections, insert instead :---

(1) The deposition of every witness at an inquest, inquiry or magisterial inquiry shall be recorded by means of writing, shorthand, stenotype machine, sound-recording apparatus or any other means prescribed for the time being by regulations made under section 154 (1A) (b) of the Justices Act, 1902.

(2) Where, for the purposes of subsection (1), the deposition of a witness is recorded by means of writing, it shall be read over either to or by the witness, as the coroner, justice or justices holding the inquest, inquiry or magisterial inquiry may direct, and be signed by him and by the coroner, justice or justices, as the case may be.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER, Governor.

Government House, Sydney, 3rd April, 1978.



#### approximate a state of the providence of the pro

Anny information of the start o

and the second property of the second se

 A second sec second sec

elek alter e alter i en de le en el en el en el en el

## CORONERS (AMENDMENT) ACT, 1978, No. 47

## New South Wales



## ANNO VICESIMO SEPTIMO ELIZABETHÆ II REGINÆ

## Act No. 47, 1978.

An Act to amend the Coroners Act, 1960, so as to facilitate the taking of depositions at an inquest, inquiry or magisterial inquiry under that Act. [Assented to, 3rd April, 1978.]

P 46626J (6c)

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Coroners (Amendment) Act, 1978".

Commencement. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment **3.** The Coroners Act, 1960, is amended in the manner set of Act No. forth in Schedule 1. 2, 1960.

Sec. 3.

#### SCHEDULE 1.

Amendments to the Coroners Act, 1960.

(1) Section 4 (2)—

At the end of section 4, insert :---

(2) For the purposes of this Act, a reference to depositions shall, where the depositions were recorded by a means (other than writing) referred to in section 19 (1), be construed as a reference to a transcript certified in the manner prescribed by regulations made under the Justices Act, 1902, of the depositions so recorded.

Act No. 47, 1978.

Coroners (Amendment).

## SCHEDULE 1—continued.

AMENDMENTS TO THE CORONERS ACT, 1960—continued.

(2) Section 19 (1), (2)—

Omit the subsections, insert instead :---

(1) The deposition of every witness at an inquest, inquiry or magisterial inquiry shall be recorded by means of writing, shorthand, stenotype machine, sound-recording apparatus or any other means prescribed for the time being by regulations made under section 154 (1A) (b) of the Justices Act, 1902.

(2) Where, for the purposes of subsection (1), the deposition of a witness is recorded by means of writing, it shall be read over either to or by the witness, as the coroner, justice or justices holding the inquest, inquiry or magisterial inquiry may direct, and be signed by him and by the coroner, justice or justices, as the case may be.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER, Governor.

Government House, Sydney, 3rd April, 1978.



#### approximate a state of the providence of the pro

Anny information of the start o

and the second property of the second se

 A second sec second sec

elek alter e alter i en de le en el en el en el en el